

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0395

MURRIETA v. STATE, et al.

Appellate Case Information

Case Filed: 30-May-2024

Case Closed:

Dept/Composition

Side 1. JAVIER MURRIETA, Plaintiff/Appellant

(Litigant Group) JAVIER MURRIETA

- Javier Murrieta

Attorneys for: Plaintiff/Appellant

Bamidele Adelayo, Esq. (AZ Bar No. 27936)

Side 2. STATE OF ARIZONA, et al., Defendant/Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Defendant/Appellee State

Jennifer Rethemeier, Esq. (AZ Bar No. 31398)

(Litigant Group) NAPHCARE

- Naphcare

Attorneys for: Defendant/Appellee Naphcare

Sarah L Barnes, Esq. (AZ Bar No. 20362)

Kelley M Jancaitis, Esq. (AZ Bar No. 25555)

CASE STATUS

Jul 10, 2024.....Motion for Reconsideration Pending

PREDECESSOR CASE (S)

Table with 6 columns: Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2023-010731, medical records and examination, Bradley H Astrowsky, Authoring Judge of Order.

PENDING MATTER

General Motion

Filed: 10-Jul-2024

* Motion for Procedural Order Reinstating Appeal (Appellant)

CASE DECISION

25-Jun-2024 ORDER

ORDERED: Dismissing this appeal.

Filed: 25-Jun-2024

Mandate:

Daniel Kiley.....Author

Decision Disposition

Dismissed

22 PROCEEDING ENTRIES

- 1. 30-May-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/01/24
2. 30-May-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 30-May-2024 ORDERED: Assessing appellant first time payment of \$56.00 (Twenty per cent), balance to be paid in accordance with A.R.S. 12-302(E). There is no appellee's filing fee due in this matter. Appellant's Case Management Statement due 6/19/24 and Opening Brief due 7/29/24. FURTHER ORDERED: Copy of this order to Arizona Department of Corrections, Rehabilitation & Reentry, and copy of order and case management statement form to appellant personally. Amy M Wood - Author
4. 5-Jun-2024 RECEIPT No.: 2024-00541 ; \$56.00, Authorization: #19-661809297, Applied to: JAVIER MURRIETA - Class A Filing Fee (\$56.00) Paid for: - By JAVIER MURRIETA (Memo: Partial payment)
5. 6-Jun-2024 FILED: Appellate Clerk Notice re: Appellee Naphcare Fee Due; Appellant's Brief/Case Management Statement Due

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0395****MURRIETA v. STATE, et al.****22 PROCEEDING ENTRIES**

6. 6-Jun-2024 FILED: Settlement Conference Program Notice
7. 19-Jun-2024 FILED: Case Management Statement (Appellant)
8. 20-Jun-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
9. 25-Jun-2024 ORDERED: Dismissing this appeal. Daniel J Kiley - Author
10. 26-Jun-2024 RECEIPT No.: 2024-00619 ; \$140.00, Authorization: # 78011501333, Applied to: NAPHCARE - Class B Filing Fee (\$140.00)
Paid for: Broening Oberg Woods & Wilson PC - By nCourt, LLC
11. 28-Jun-2024 FILED: Letter, 6/26/24, from Appellee Naphcare to Court, requesting refund of filing fee
12. 10-Jul-2024 FILED: Motion for Procedural Order Reinstating Appeal; Certificate of Service; Exhibit A (Appellant)
13. 11-Jul-2024 FILED: Amended Motion for Procedural Order Reinstating Appeal; Certificate of Service; Transcript 09/06/23 Hearing Exhibit - A (Appellant)
14. 9-Aug-2024 ORDERED: Letter, 6/26/24, from Appellee Naphcare to Court, requesting refund of filing fee = DENIED. The court will rule on pending Motion for Procedural Order Reinstating Appeal in due course. Melina Brill ProTem Judge - Author
15. 9-Aug-2024 ORDERED: Requesting appellees file a reponse to motion (motion to reinstate) by 08/22/2024. FURTHER ORDERED: Appellant may file a reply in accordance with ARCAP 6(a)(2). Court will rule on motion following expiration of time for response and reply. Melina Brill ProTem Judge - Author

[Vacated per order filed 08/12/2024]
16. 12-Aug-2024 ORDERED: Any response to Petitioner's motion for reconsideration shall be filed no later than 08/28/2024. FURTHER ORDERED: Any reply in support of Petitioner's motion for reconsideration shall be filed no later than 09/09/2024. Hon Daniel J Kiley - Author
17. 12-Aug-2024 ORDERED: Vacating court's 08/09/2024 "Order re Response." FURTHER ORDERED: Response and reply to pending motion for reconsideration are due by 08/28/2024 and 09/09/2024, respectively, pursuant to the court's 08/12/2024 order. Melina Brill ProTem Judge - Author
18. 22-Aug-2024 FILED: Notice of Appearance of Assistant Attorney General; Certificate of Service (Appellee)
19. 27-Aug-2024 FILED: Response in Opposition to Amended Motion to Reinstate Appeal; Certificate of Service (Appellee)
20. 9-Sep-2024 FILED: Motion for Procedural Order Granting Five (5) Business Day Enlargement of [sic] to File Reply in Support of Motion to Reinstate Appeal; Certificate of Service (Appellant)
21. 10-Sep-2024 ORDERED: Motion for Procedural Order Granting Five (5) Business Day Enlargement of [sic] to File Reply in Support of Motion to Reinstate Appeal (Appellant) = GRANTED and extending the time to file a reply from 09/09/2024 to 09/16/2024. Melina Brill ProTem Judge - Author
22. 15-Sep-2024 FILED: Reply in Support of Amended Motion for Procedural Order Reinstating Appeal; Certificate of Service (Appellant)